

FILED

AO 91 (Rev. 11/11) Criminal Complaint

APR 23 2014

UNITED STATES DISTRICT COURT

for the

Western District of Texas

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY

United States of America

v.

David RAMIREZ

Case No. EP-14-M-1726-MATDefendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 22, 2014 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section*Title 21 U.S.C § 841 (a)(1) and 952
(a)*Offense Description*

Defendant did, knowingly and intentionally possess with the intent to distribute approximately 15.60 kilograms (gross weight) of marijuana, a Schedule 1 controlled substance; and unlawfully imported into the customs territory of the United States from any place outside thereof (i.e. Mexico), approximately 15.60 kilograms (gross weight) of marijuana, a Schedule 1 controlled substance.

This criminal complaint is based on these facts:

See attached affivavit.

☒ Continued on the attached sheet.[Signature]

Complainant's signature

Jeremy Bluto - Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/23/2014[Signature]

Judge's signature

City and state: El Paso, Texas

Miguel A. Torres - U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

On April 22, 2014, David RAMIREZ attempted to enter the United States at the Paso Del Norte, Port of Entry, El Paso, Texas. RAMIREZ was the driver and sole occupant of a 1999 Dodge Durango bearing Chihuahua Mexico registration.

United States Customs and Border Protection Officers (CBPOs) and United States Border Patrol Agents (USBPA) were conducting pre-primary roving operations. A Narcotic Human Detector Dog (NHDD) alerted to the undercarriage of the Dodge Durango driven by RAMIREZ.

A USBPA took a customs declaration from RAMIREZ. RAMIREZ gave the following non-verbatim declaration: He was on his way to work with his uncle doing construction in the North East. The vehicle belonged to his girlfriend; however, he had no registration paperwork. His girlfriend had owned the vehicle for about one year and he had been using it for about one month. He was the only person who drove the vehicle and he was responsible for the vehicle and everything in it.

A CBPO took a second customs declaration from RAMIREZ. RAMIREZ gave the following non-verbatim customs declaration: He stated he lived in Juarez with his girlfriend and was coming from their house. He stated the vehicle belonged to his girlfriend but he had been using it for about two weeks. He was the only person who drives the car right now and he was responsible for the vehicle and everything in it.

During further inspection, 29 bundles containing a green, leafy substance were recovered. One bundle was probed to remove a sample. The sample field-tested positive for the properties of marijuana. The total approximate weight was 15.60 kilograms.

Homeland Security Investigations (HSI) Special Agents (SAs) arrived and began an investigation. RAMIREZ read his Miranda rights out loud in the Spanish language as witnessed by SAs Jeremy Bluto and Marco Reta. RAMIREZ signed the rights form indicating he understood his rights and agreed to speak to SAs without an attorney present. RAMIREZ gave the following non verbatim statement:

RAMIREZ stated he was going to be paid \$800 for smuggling the marijuana. He stated his girlfriend arranged the smuggling venture and that several of her friends were involved in the drug trade. RAMIREZ stated he was told someone would be waiting once he crossed the Port of Entry. The person would flag him down as they would recognize the vehicle he was driving. RAMIREZ said after being flagged down, the unknown person would get in the vehicle with him, take him to work and drop him off, take the vehicle to be unloaded, and return to pick up him after work. RAMIREZ stated this was his first time smuggling. RAMIREZ declined to make a written statement.

This affidavit is prepared for the sole purpose of establishing probable cause and does not contain all of the facts known to me about this case.